

000679

REQUEST FOR COUNCIL ACTION
CITY OF SAN DIEGO1. CERTIFICATE NUMBER
(FOR AUDITOR'S USE)107
10/21TO: CITY ATTORNEY
2. FROM (ORIGINATING DEPARTMENT): Office of the CIO

3. DATE: 8/19/08

4. SUBJECT:
CONFLICT OF INTEREST CODE FOR THE OFFICE OF THE CIO

5. PRIMARY CONTACT (NAME, PHONE & MAIL STA.)

Maria Mendoza, 619-533-3440, MS 658B

6. SECONDARY CONTACT (NAME, PHONE & MAIL STA.)

Beverly Sturk, 619-533-3609, MS 658B

7. CHECK BOX IF REPORT TO
COUNCIL IS ATTACHED ☒

8. COMPLETE FOR ACCOUNTING PURPOSES

FUND					9. ADDITIONAL INFORMATION / ESTIMATED COST:
DEPT.					
ORGANIZATION					
OBJECT ACCOUNT					
JOB ORDER					
C.I.P. NUMBER					
AMOUNT					

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	OFFICE OF THE CIO	<i>[Signature]</i>	8/19/08	8	DEPUTY CHIEF		
2				9	COO		
3				10	CITY ATTORNEY	<i>[Signature]</i>	10/7/08
4	CFO			11	ORIGINATING DEPARTMENT		
5				DOCKET COORD: _____ COUNCIL LIAISON: _____			
6				<input checked="" type="checkbox"/>	COUNCIL PRESIDENT	<input type="checkbox"/> SPOB <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION	
7					REFER TO: _____	COUNCIL DATE: 10/21/08	

11. PREPARATION OF: ☐ RESOLUTION(S) ☐ ORDINANCE(S) ☐ AGREEMENT(S) ☐ DEED(S)

Adopting the revised Conflict of Interest Code for the Office of the CIO.

11A. STAFF RECOMMENDATIONS:

Approve the revised Conflict of Interest Code and appendices as submitted.

12. SPECIAL CONDITIONS:

COUNCIL DISTRICT(S): All
COMMUNITY AREA(S): Citywide
ENVIRONMENTAL IMPACT: N/A
HOUSING IMPACT: N/A
OTHER ISSUES: NONE

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EXECUTIVE SUMMARY SHEET
CITY OF SAN DIEGO

DATE ISSUED:

REPORT NO:

ATTENTION:

City Council

ORIGINATING DEPARTMENT: Office of the CIO

SUBJECT:

BIENNIAL REVIEW: CONFLICT OF INTEREST CODES

COUNCIL DISTRICT(S):

N/A

CONTACT/PHONE NUMBER: Maria Mendoza, 619-533-3440

REQUESTED ACTION: Resolution.

STAFF RECOMMENDATION: Pass Resolution.

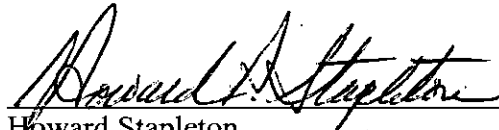
EXECUTIVE SUMMARY: This revision is intended to conform to Government Code Section 87305.5 requiring a biennial review and update of local conflict of interest codes as reflected in City Council Resolution No. R-303718 adopted on May 27, 2008. The Office of the CIO code has been revised to include new positions which had not been previously designated, remove positions previously designated but now more appropriately included in other City department's Conflict of Interest Codes, and to update the required filing categories for each designated position.

FISCAL CONSIDERATIONS: 0

PREVIOUS COUNCIL and/or COMMITTEE ACTION: N/A

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: N/A

KEY STAKEHOLDERS AND PROJECTED IMPACTS: N/A



Howard Stapleton
OCIO/IT Deputy Director

Jay Goldstone
Chief Operating Officer

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2008 Local Agency Biennial Notice

Name of Agency: City of San Diego-Office of the CIO
Mailing Address: 1010 Second Avenue, Suite 500, San Diego, CA 92101
Contact Person: Maria Mendoza
Phone Number: (619) 533-3440 Fax Number: (619) 533-3892
E-mail (optional) MMendoza@sandiego.gov

This agency has reviewed its conflict of interest code and has determined that:

X The code needs to be amended and the following amendments are necessary:

(Check all that apply)

X Include new positions (including consultants) which must be designated (App. A)

X Delete positions that manage public investments from the list of designated positions.

 Revise disclosure categories (App. B)


 Revise the title of existing positions (App. A)

X Delete the titles of positions that have been abolished (App. A)

 Other

☐ Summary of documented dispute and resolution

 No amendments are necessary. The agency's code accurately designates all positions that made or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.


Howard Stapleton, OCIO/IT Deputy Director

8/18/2008
Date

You must complete this report regardless of how recently your code was approved or amended.

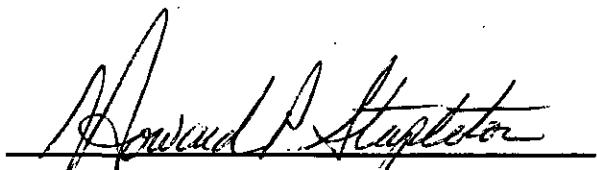
Please return this report by August 22, 2008, to:

Denise Jenkins, Elections Analyst
Office of the City Clerk
202 C Street, MS 2A, San Diego, CA 92101

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CITY CLERK'S OFFICE
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SAN DIEGO, CALIF.

CERTIFICATION

The foregoing amendment to the Conflict of Interest Code was prepared by the City of San Diego's Office of the CIO after a fair opportunity was offered to the members of the Office of the CIO to present their views.


Howard Stapleton
OCIO/IT Deputy Director


Date

Appendix A
Office of the CIO
Designated Positions, Duties and Categories
July, 2008
(See Appendix B for Category Details)

Position	Duties	Category
Chief Information Officer (CIO)	Manages the Office of the CIO and Assists the Assistant Chief Operating Officer in the assessment and administration of Citywide technology services. Directs Information Technology and Communications Divisions. Has overall responsibility for purchases of supplies and services for IT Division. Participates on selection panels which determine who will be awarded contracts for Citywide IT purchases and/or services.	1
Information Technology Deputy Director	Manages and administers the IT Division. Has overall responsibility for purchases of supplies and services for the IT Division. Participates on selection panels which determine who will be awarded contracts for Citywide IT purchases and/or services.	2
Program / Project Manager / Coordinator	Directs work programs, coordinates projects, and provides assistance and staff to management, committees and task forces. Participates on selection panels which determine who will be awarded contracts for Citywide IT purchases and/or services.	3
Information Systems Manager	Manages the Central Infrastructure Support Organization (CISO) that provides Help Desk, desktop support, file storage, network printing, messaging, and directory services to the City. Is responsible for both customer support and the complex distributed infrastructure required for service delivery. The position will be negotiating service levels, establishing metrics, and developing and implementing policies and procedures while addressing daily operational issues. Participates on selection panels which determine who will be awarded contracts for Citywide IT purchases and/or services.	3
Supervising Management Analyst	Supervises professional staff; coordinates Citywide data processing needs with City staff and the data processing corporation. Participates on selection panels which determine who will be awarded contracts for Citywide IT purchases and/or services.	3
Information Systems Analyst IV	Supervises professional and technical staff, serves as Citywide representative and IT Project Manager on complex projects involving distributed Internet/Intranet systems and/or various desktop systems. Manages outside vendors and ensures timely enterprise-wide technical solutions. Develops IT policies and procedures related to Internet/Intranet, configuration management, and customer support. Participates on selection panels which determine who will be awarded contracts for Citywide IT purchases and/or services.	3

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Appendix A
Office of the CIO
Designated Positions, Duties and Categories
July, 2008
(See Appendix B for Category Details)

Information Systems Analyst III	Coordinates shared City data systems and standardization of programs; analyzes and recommends hardware and software standards and other data systems needs as assigned. Participates on selection panels which determine who will be awarded contracts for Citywide IT purchases and or services.	3
Senior Management Analyst	Analyzes technology needs; recommends and approves specifications for major purchases of computer hardware and software programs.	3
Consultants	Refer to the Disclosure Category section (Exhibit B) for Consultants.	4

Appendix B
OFFICE OF THE CIO
DISCLOSURE CATEGORIES
July, 2008
(See Appendix A for Cross-References)

Category I

Investments and business positions in any business entity either located in or doing business with the City, or in a technology related field.

Income and gifts from sources.

Interests in real property located in the City, including property located within a two-mile radius of any property owned or used by the City.

Category 2

Investments and business positions in any business entity located in or doing business with the City.

Income and gifts from sources located in or doing business with the City.

Interests in real property located in the City, including property located within a two-mile radius of any property owned or used by the City.

Category 3

Investments and business positions in a firm or business entity that supplies goods or services to the City, receives goods or services from the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or that is granted authority by the City to use City facilities.

Income and gifts from any person or business entity that supplies goods or services to the City, receives goods or services from the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or that is granted authority by the City to use City facilities.

Category 4

Consultants:

Consultants shall be included in the list of designated employees for the Office of the CIO and shall disclose pursuant to the broadest category in the code subject to the following limitation:

The Mayor, Chief Operating Officer, Deputy Chief Operating Officers, Department Directors, Deputy Directors, City Treasurer, Purchasing Agent, Program or Project Managers, or Supervisors may determine in writing that a particular

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Appendix B
OFFICE OF THE CIO
DISCLOSURE CATEGORIES
July, 2008
(See Appendix A for Cross-References)

consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description, a statement of the extent of disclosure requirements. The determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

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Appendix A
Office of the CIO
Designated Positions, Duties and Categories
July, 2008
(See Appendix B for Category Details)

Position	Duties	Category
Chief Information Officer (CIO)	Manages the Office of the CIO and Assists the Assistant Chief Operating Officer in the assessment and administration of Citywide technology services. Directs Information Technology and Communications Divisions. Has overall responsibility for purchases of supplies and services for IT Division. Participates on selection panels which determine who will be awarded contracts for Citywide IT purchases and/or services.	1
Information Technology Deputy Director	Manages and administers the IT Division. Has overall responsibility for purchases of supplies and services for the IT Division. Participates on selection panels which determine who will be awarded contracts for Citywide IT purchases and/or services.	2
Program / Project Manager / Coordinator	Directs work programs, coordinates projects, and provides assistance and staff to management, committees and task forces. Participates on selection panels which determine who will be awarded contracts for Citywide IT purchases and/or services.	3
Information Systems Manager	Manages the Central Infrastructure Support Organization (CISO) that provides Help Desk, desktop support, file storage, network printing, messaging, and directory services to the City. Is responsible for both customer support and the complex distributed infrastructure required for service delivery. The position will be negotiating service levels, establishing metrics, and developing and implementing policies and procedures while addressing daily operational issues. Participates on selection panels which determine who will be awarded contracts for Citywide IT purchases and/or services.	3
Supervising Management Analyst	Supervises professional staff; coordinates Citywide data processing needs with City staff and the data processing corporation. Participates on selection panels which determine who will be awarded contracts for Citywide IT purchases and/or services.	3
Information Systems Analyst IV	Supervises professional and technical staff, serves as Citywide representative and IT Project Manager on complex projects involving distributed Internet/Intranet systems and/or various desktop systems. Manages outside vendors and ensures timely enterprise-wide technical solutions. Develops IT policies and procedures related to Internet/Intranet, configuration management, and customer support. Participates on selection panels which determine who will be awarded contracts for Citywide IT purchases and/or services.	3

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Deleted: Communications Deputy Director ... [1]

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Deleted: Senior Communications Engineer ... [2]

Deleted: Supervises web production team staff, serves as Citywide representative and IT Project Manager on complex projects involving distributed Internet/Intranet systems. Manages outside vendors and ensures timely enterprise-wide Inet technical solutions. Develops IT internet/ intranet policies and procedures. Sits on panels who determine who will be awarded contracts for Citywide purchases.

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Appendix A
Office of the CIO
Designated Positions, Duties and Categories
July, 2008
(See Appendix B for Category Details)

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Information Systems Analyst III	Coordinates shared City data systems and standardization of programs; analyzes and recommends hardware and software standards and other data systems needs as assigned. Participates on selection panels which determine who will be awarded contracts for Citywide IT purchases and or services.	3
Senior Management Analyst	Analyzes technology needs; recommends and approves specifications for major purchases of computer hardware and software programs.	3
Consultants	Refer to the Disclosure Category section (Exhibit B) for Consultants.	4

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Communications Deputy Director	Manages and administers the Division, responsible for the maintenance, repair and improvements of City 800 MHz, paging and other communications systems. Has overall responsibility for purchases of supplies and services for the Communications Division. Sits on panels who determine who will be awarded contracts for Citywide purchases.	2
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Senior Communications Engineer	Recommends and approves specification for major purchases of communications equipment for all City departments. Administers Capital Improvements Program. Sits on panels who determine who will be awarded contracts for Citywide purchases.	3
Associate Communications Engineer	Recommends and approves specifications for major purchases of communications equipment for all City departments. Assists in the administration of the Capital Improvements Program. Sits on panels who determine who will be awarded contracts for Citywide purchases.	3
Senior Communications Technician Supervisor	Performs supervisory duties of City forces and support services; reviews materials, supplies and items necessary in day-to-day operations in the Communications Division. Sits on panels who determine who will be awarded contracts for Citywide purchases.	3

000695

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

RESOLUTION ADOPTING A REVISED CONFLICT OF
INTEREST CODE FOR THE OFFICE OF THE CHIEF
INFORMATION OFFICER

WHEREAS, Government Code sections 87300 and 87302 require local agencies to adopt conflict of interest codes designating positions that involve the making or participation in making of decisions which may foreseeably have a material effect on financial interests, and for each position, the financial interests which are reportable; and

WHEREAS, in compliance with Government Code section 87306.5, the City is in the midst of a required City-wide biennial review of all conflict of interest codes for which the City Council serves as code-reviewing body; and

WHEREAS, by Resolution R-303718 (approved by the City Council on May 20, 2008, and signed by the Mayor on May 27, 2008), the City Council directed every City department, agency, board and commission for which the City Council serves as code-reviewing body to make biennial reports and to update their conflict of interest codes as necessary; and

WHEREAS, as the City's code-reviewing body, the City Council finds it in the public interest to adopt the standard conflict of interest code promulgated by the California Fair Political Practices Commission [FPPC] in Regulation 18730, and hereby declares its intention to incorporate by reference the terms of FPPC Regulation 18730 and any amendments to that regulation duly adopted by the FPPC as part of each conflict of interest code for which the City Council has responsibility; and

WHEREAS, by Resolution No. 302215, the City Council on December 5, 2006, approved a Conflict of Interest Code for the Business and Support Services Department, which included within its code the Office of the Chief Information Officer (also known as the Office of the CIO); and

WHEREAS, the Office of the Chief Information Officer now seeks to revise its conflict of interest code to separate its code from others, to include new positions, to delete positions, and to delete the titles of positions that have been abolished; and

WHEREAS, the City Council concurs that a revised Conflict of Interest Code be adopted for the Office of the Chief Information Officer; and

WHEREAS, Government Code section 87303 provides that when a proposed conflict of interest code or amendment is approved by the code-reviewing body, it shall be deemed adopted, and, accordingly, this resolution is not subject to veto by the Mayor; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that a Conflict of Interest Code for the Office of the Chief Information Officer is hereby adopted, consisting of standard language embodied in title 2, section 18730 of the California Code of Regulations, and any amendments to that regulation duly adopted by the Fair Political Practices Commission, with Appendix A showing designated positions and their duties, and Appendix B showing the disclosure categories.

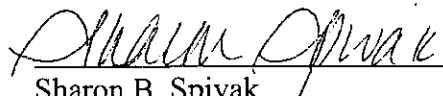
BE IT FURTHER RESOLVED, that a copy of Appendix A and Appendix B to the Conflict of Interest Code for the Office of the Chief Information Officer as adopted be placed on file in the Office of the City Clerk as Document No. RR-_____.

BE IT FURTHER RESOLVED, that the persons whose positions are designated in the revised Conflict of Interest Code for the Office of the Chief Information Officer shall file their statements of economic interest with the City Clerk in compliance with the schedule set forth in Government Code section 87302(b) and Fair Political Practices Commission Regulation 18730, or any amendments thereto, which set forth the deadlines for the filing of initial statements, assuming office statements, annual statements and leaving office statements.

BE IT FURTHER RESOLVED, that the statements of economic interest filed by designated persons be retained by the Office of the City Clerk and be made available for public inspection and reproduction.

BE IT FURTHER RESOLVED, that the Conflict of Interest Code for the Office of the Chief Information Officer becomes effective upon the date of adoption of this resolution.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Sharon B. Spivak
Deputy City Attorney

SBS:als
10/07/08
Or.Dept:CIO
R-2009-205